

SENATE BILL 743
By Miller

AN ACT to amend Tennessee Code Annotated, Title 11,
Chapter 4 and Title 69, relative to forests and
forest products.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 11, Chapter 4, is amended by adding sections 2 through 8 inclusive of this act as a new part, to be appropriately designated.

SECTION 2. This part shall be known and may be cited as the "Tennessee Forest Management and Economic Development Act of 2005".

SECTION 3. The general assembly finds that the forests of Tennessee possess great potential for sustainable production of timber, forest products utilization, protection of water quality, productive wildlife habitat, and outdoor recreation opportunities. With careful attention to scientific principles of forest management, Tennessee's forests can meet the growing demand for wood products and provide a wide range of multiple resource benefits for present and future generations. The general assembly finds that forest products utilization is essential to a well-balanced and growing economy, and measures are needed to assist forest landowners and industry in the assessment and evaluation of these management opportunities. It is also recognized that there are barriers to achieving the productive potential of Tennessee's forests, such as poor management practices, an abundance of low-quality hardwood timber, limited value-added market opportunities, and threats to forest health from insects, disease, and fire.

SECTION 4.

(a) The general assembly recognizes that there is a need to develop a comprehensive and up-to-date inventory and evaluation process that accurately assesses change in Tennessee's forest resource. The division of forestry shall initiate

development of an assessment model that is sufficient to support local, regional, and statewide forest resource analyses with particular capabilities for assessing and understanding sustainable forest resource utilization opportunities. The model should have the capability to incorporate such inputs as are necessary to evaluate change in the forest resource as it may be impacted by natural circumstances, management activities, and other occurrences that influence the composition and condition of the forest resource over time. The model should possess sufficient statistical accuracy to measure and understand the effects of alternative management strategies on a broad range of forest resource outputs, including, but not limited to, timber, wildlife, water quality and quantity, forest soils, recreational opportunities, sensitive natural and cultural resources, and aesthetics. The model should effectively support technical assistance services of the division of forestry and enhance the identification of appropriate management opportunities for private forest landowners. Such measures should emphasize management opportunities for private forest landowners that improve productivity, enhance forest health, and promote multiple forest resource benefits.

(b) To achieve development of an effective forest resource inventory and assessment model, the division of forestry shall, to the extent possible, establish a statewide forest inventory and assessment program that assesses general forest conditions every five (5) years and evaluates other appropriate criteria on an annual basis. The five (5) year survey should utilize permanent plot data from the United States Forest Service survey or a similar inventory model. The annual survey should utilize remote sensing and similar techniques that can measure important yearly occurrences and change, such as insect and disease impacts, reforestation, harvesting, and other changes in forest conditions.

(c) The division of forestry shall prepare two (2) annual reports on the development of a forest resource inventory and assessment model and submit such reports to the members of the house agriculture committee and the senate commerce, labor, and agriculture committee not later than February 1, 2006, and February 1, 2007, respectively. The respective reports shall contain a summary of the progress on the development of the model with recommendations as may be necessary to accomplish the purposes of this part.

SECTION 5. The general assembly finds that measures are needed to encourage the expansion of forest products technology through research, demonstration, and market development. To promote such efforts, the University of Tennessee Institute of Agriculture shall evaluate the feasibility of establishing a forest products laboratory and technology development center. The intent of the center is to conduct appropriate research, development, and demonstration activities that assess wood fiber and other forest products utilization opportunities for Tennessee's forest resource. Activities of the center shall include, but are not limited to, identification and evaluation of new technology, analysis of market development potential, production efficiency assessments, and related research efforts. The center would place a high priority on utilization technology and opportunities that promote economic development of Tennessee's forest consistent with principles of wise use and responsible resource stewardship. The University of Tennessee shall prepare a report on the feasibility of establishing a forest products laboratory and technology development center and submit such report to the members of the house agriculture committee and senate commerce, labor, and agriculture committee not later than February 1, 2006. The report shall recommend a scope of services, programs, and projects that can be accomplished by the center and shall contain findings and recommendations, including, but not limited to, staffing, operations, equipment, maintenance, and capital outlay requirements as may be necessary to establish the center.

SECTION 6. The general assembly recognizes that the practice of forestry requires substantial initial investment and many years to yield a return to the landowner. These investments benefit all Tennesseans through timber harvest, value-added manufacturing, jobs and taxes, scenery, and wildlife habitat. Increased financial and technical assistance services to landowners will be needed to assure a continued availability of these important forest resource benefits. To support programs and services of the division of forestry, the Tennessee forestry commission, in cooperation with the commissioner of agriculture, will evaluate alternative funding sources for the division of forestry. Such alternatives should consider expanding or improving the efficiency of current sources of revenue, as well as feasibility studies that evaluate new or different sources of revenue. Any and all alternatives should not adversely impact the property rights of forest landowners or discourage private investment in forestry. These evaluations should involve the participation and input of the public, including, but not limited to, forest landowners, forest industry, and related interest groups and organizations. The Tennessee forestry commission will prepare a report containing its findings and recommendations with respect to alternative funding sources for the division of forestry and submit such report to the members of the house agriculture committee and senate commerce, labor, and agriculture committee not later than February 1, 2006.

SECTION 7. The general assembly recognizes that the state forests administered by the division of forestry present exceptional statewide opportunities to demonstrate a variety of management activities. To specifically assist landowners in understanding and selecting appropriate forest management strategies for use on private lands, the division of forestry shall initiate a comprehensive forest demonstration program throughout the state forest system. The demonstration program will feature a broad range of management objectives and silvicultural techniques for respective forest resource conditions and situations. As part of the demonstration program, the division shall develop on-site interpretation techniques, including

self-guided and staff-supported tours, outdoor classrooms, exhibits, signage, reference materials, and other appropriate interpretive devices. The demonstration program should emphasize information and education efforts that assist the private forest landowner, as well as the general public, in better understanding costs, benefits, and tradeoffs over time associated with the selection of specific forest management strategies. It is the intent of the general assembly that the demonstration program complement the multiple resource management purposes of the state forest system and not replace, eliminate, or prevent the application of scientifically based and responsibly administered timber production and other resource management objectives. In developing the demonstration program, the division is encouraged to work with the University of Tennessee Institute of Agriculture, forest industry, and related interest groups and organizations. The division of forestry shall prepare a report containing procedures, recommendations, and a timeline for development of the demonstration program and submit such report to the members of the house agriculture committee and senate commerce, labor, and agriculture committee not later than February 1, 2006.

SECTION 8. In its efforts to accomplish the purposes of this part, the division of forestry is encouraged to invite participation of the public, interest groups, and organizations involved in forest resource management issues in Tennessee.

SECTION 9. This act shall take effect July 1, 2005, the public welfare requiring it.